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1 A. Then why am I here?

2 Q. Well, you're not here so that we can get a

3 legal opinion from you about what's relevant or not in

4 this lawsuit. But with regards to cleaning --

5 MS. OLMOS: Object to the form of the

6 question if that's a question.

7 MR. MOZES: I didn't ask a question. Now

8 I'm asking a question.

9 Q. (BY MR. MOZES) With regards to cleaning

10 areas, my understanding is that you cannot break that

11 down whether it was a weekly basis, a monthly basis, or

12 any basis, right?

13 A. No.

14 Q. That's true. My question is true; you can't

15 break it down, can you?

16 A. I just said no.

17 Q. Yeah. And with regards to you said that

18 Miller sometimes will give you special things to do.

19 What kinds of special things?

20 A. Any tasks that anyone needs help with. As a

21 trainee if we're in an outage I'll go work with

22 maintenance if they need help. If Eric our water guy

23 needs help with something I'll go do that with him. It's

24 all job related so ...

25 Q. What sort of special things have you done

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1 with maintenance since you've been a Trainee I?

2 A. A lot of stuff.

3 Q. Well, if you could describe it for me.

4 A. During our Navajo outage I was asked to go

5 out there with them for multiple things with the

6 maintenance crew and the ICE techs. For anywhere from

7 simple things as fire watch up to reading wiring diagrams

8 to rewire controls for systems.

9 Q. What is your educational background? I know

10 you have some certificates from college. Where did you

11 graduate from high school?

12 A. Piedra Vista.

13 Q. Piedra Vista. And with regards to that

14 industrial -- it was an industrial process operations

15 course, did you receive a certificate for that?

16 A. No. It's a degree; associate's.

17 Q. And how many hours associated with that

18 degree?

19 A. How many hours?

20 Q. Yeah. How many credit hours?

21 A. Oh. I think it was 76.

22 Q. What -- with respect to being an Ops Tech

23 Trainee I and cleaning areas, what areas have you

24 cleaned?

25 A. The entire plant.

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1 Q. Every area in the plant, right?

2 A. Wherever they ask you to.

3 Q. Yeah. That may be, wherever they ask you

4 to. But you have cleaned as an Ops Tech Trainee I you've

5 cleaned every area of the plant, right?

6 A. Yes, sir. Floors, motors, piping,

7 handrails, bathrooms, sweeping outside, cleaning the

8 fence area outside of the plant. Anywhere they ask me

9 to.

10 Q. Have you ever operated the plant without a

11 journeyman being present?

12 A. No, sir.

13 Q. Have you -- now, the plant has cameras,

14 right?

15 A. Correct.

16 Q. And you can actually see what's going on

17 both inside the plant and outside the plant through these

18 cameras, right?

19 A. Yes.

20 Q. And have you ever used these cameras to

21 monitor the activities of an employee?

22 A. That's what they're there for.

23 Q. They're there so that employees can monitor

24 the activities of other employees, right?

25 A. At the other plant, yes.

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1 Q. Okay.

2 A. On back shifts to make sure that since there

3 is one person there, they are put in so if one person

4 were to go down, you can't get ahold of them on the

5 phone, you could at least visually see them to make sure

6 they are okay.

7 Q. Okay. And have you ever monitored the

8 activities of Juanita Garcia?

9 A. I've seen her in the control room from the

10 opposite plant.

11 Q. But --

12 A. Whenever it comes --

13 Q. -- you would not follow her around on a

14 shift to see what she was doing or when she was doing it,

15 would you?

16 A. No.

17 Q. And you don't know of anyone ever doing

18 that, do you?

19 A. No.

20 Q. How do you get along with Juanita in the

21 workplace?

22 A. It's a little rough.

23 Q. A little rough?

24 A. A little rocky. Yeah.

25 Q. And can you describe for me why it's a

4 (Pages 13 to 16)

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EXHIBIT

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